



US Army Corps  
of Engineers®  
New England District

Maine Project Office  
675 Western Ave., #3  
Manchester, Maine 04531

# PUBLIC NOTICE

Date: March 13, 2001  
Comment Period Ends: April 13, 2001  
File Number: 200000269  
In Reply Refer To: Jay Clement  
Or by e-mail: jay.l.clement@usace.army.mil

**MAINE DEPT. OF TRANSPORTATION, 16 STATE HOUSE STATION, AUGUSTA, MAINE 04333 & SPRAGUE ENERGY, 2 INTERNATIONAL DRIVE, SUITE 200, PORTSMOUTH, NH 03801** have requested a Corps of Engineers Permit under Section 10 of the Rivers & Harbors Act of 1899, Section 404 of the Clean Water Act to develop a cargo terminal off Mack Point in Long Cove/Searsport Harbor at Searsport, Maine shown on the attached plans and described as follows:

1. The existing Bangor & Aroostook Railroad pier will be removed and replaced with a new cargo pier consisting of a 357.5'x 36' steel pile supported trestle leading from shore to a 544'x 100' steel pile supported pier. A 5' wide walkway will extend an additional 174' beyond the pier to a 34' diameter steel pile and concrete mooring dolphin.
2. To the south, the existing Sprague terminal pier will be rehabilitated and modified to include the addition of 2, 24' square steel pile and concrete mooring/breasting dolphins and a steel pile and concrete manifold dolphin within the footprint of the existing pier; a modification to an existing steel pile and concrete dolphin to make it 24' square; and the installation of a 5' wide walkway extending an additional 220' beyond the pier's last dolphin to a new 24' square mooring dolphin.
3. Maintenance and improvement dredging will be performed around both pier sites. Approximately 73,000 cubic yards of silt, sand, gravel, and clay will be dredged by mechanical means from a total combined area measuring 325,000 square foot to a depth of 37' mean low water (Sprague) and -40' mean low water (DOT). The dredging will be performed in 2 phases. Approximately 22,600 cubic yards of material determined to be unsuitable for ocean disposal will be disposed of at an upland, State approved disposal site. The second phase will be the dredging of approximately 50,400 cubic yards of material that will be disposed of at the Rockland Disposal Site as shown on the attached plan. The dredged material has undergone physical and chemical analysis. It is our preliminary determination that the material is acceptable for disposal at this disposal site.
4. In support of the new terminal, up to 0.87 acres of freshwater wetland will be filled on site. The fill will help create a new cargo storage site. As compensation for the project's unavoidable impact to wetlands, the applicant proposes to restore, enhance and create approximately 1.07 acres of wetland on site as shown on the attached plans.

The applicant is proposing these measures seeking to lessen the project's impact on aquatic resources. This notice solicits comments on these proposed measures from the interested or affected public as well as those agencies who speak to the public interest. After receipt of the comments, the Corps of Engineers will obtain any necessary additional information from the

**applicant and determine whether the proposed measures are practicable and serve to help mitigate this project's unavoidable impacts.**

**The project may impact Essential Fish Habitat (EFH) - see attached sheet for list of species and life stages. This habitat consists of subtidal bottom composed of silt, sand, and gravel. Impacts to these species are expected to be minimal since dredging and disposal will only result in a short-term impact to benthic and finfish resources. Therefore the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.**

**The project is located on the SEARSPORT, ME quadrangle sheet at Universal Transverse Mercator grid coordinates N 4901588, E 555291.**

**In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so in writing, within the comment period specified in this notice. Comments should be addressed to Jay Clement, Project Manager at the address noted above.**

**Any person may request, in writing, within the comment period that a public hearing be held to consider the application. Such requests shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.**

**SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS**

**David H. Killoy, P.E., C.P.G.  
Chief, Permits & Enforcement Section  
Regulatory Branch**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are : conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ ( x ) Permit, License or Assent from State.
- ☒ ( x ) Permit from Local Wetland Agency or Conservation Commission.
- ☒ ( x ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

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If you would prefer not to continue receiving public notices, please check here ( ) and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:

ADDRESS:

## **Summary of Essential Fish Habitat (EFH) Designation**

### **10' x 10' Square Coordinates:**

Boundary	North	East	South	West
Coordinate	44° 30.0' N	68° 50.0' W	44° 20.0' N	69° 00.0' W

**Square Description (i.e. habitat, landmarks, coastline markers):** Gulf of Maine waters within the square within Penobscot Bay affecting the following: the northern part of Isleboro Island and Cape Jellison, south of Searsport, ME., and east of Belfast, ME, within Belfast Bay, and around Sears Island.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
Atlantic cod ( <i>Gadus morhua</i> )		X	X	X
haddock ( <i>Melanogrammus aeglefinus</i> )				
pollock ( <i>Pollachius virens</i> )			X	
whiting ( <i>Merluccius bilinearis</i> )			X	X
offshore hake ( <i>Merluccius albidus</i> )				
red hake ( <i>Urophycis chuss</i> )			X	X
white hake ( <i>Urophycis tenuis</i> )			X	X
redfish ( <i>Sebastes fasciatus</i> )	n/a			
witch flounder ( <i>Glyptocephalus cynoglossus</i> )				
winter flounder ( <i>Pleuronectes americanus</i> )	X	X	X	X
yellowtail flounder ( <i>Pleuronectes ferruginea</i> )	X	X		
windowpane flounder ( <i>Scophthalmus aquosus</i> )	X	X	X	X
American plaice ( <i>Hippoglossoides platessoides</i> )	X	X	X	X
ocean pout ( <i>Macrozoarces americanus</i> )	X	X	X	X
Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )				
Atlantic sea scallop ( <i>Placopecten magellanicus</i> )	X	X	X	X
Atlantic sea herring ( <i>Clupea harengus</i> )		X	X	X
monkfish ( <i>Lophius americanus</i> )				
bluefish ( <i>Pomatomus saltatrix</i> )			X	X
long finned squid ( <i>Loligo pealei</i> )	n/a	n/a		
short finned squid ( <i>Illex illecebrosus</i> )	n/a	n/a		
Atlantic butterfish ( <i>Peprilus triacanthus</i> )				
Atlantic mackerel ( <i>Scomber scombrus</i> )			X	X
summer flounder ( <i>Paralichthys dentatus</i> )				
scup ( <i>Stenotomus chrysops</i> )	n/a	n/a		
black sea bass ( <i>Centropristus striata</i> )	n/a			
surf clam ( <i>Spisula solidissima</i> )	n/a	n/a		
ocean quahog ( <i>Artica islandica</i> )	n/a	n/a		
spiny dogfish ( <i>Squalus acanthias</i> )	n/a	n/a		
tilefish ( <i>Lopholatilus chamaeleonticeps</i> )				
bluefin tuna ( <i>Thunnus thynnus</i> )				X